

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kelvin B. Wilson,

Civil No. 05-869 (RHK/JSM)

Petitioner,

v.

ORDER

Minnesota Fourth Judicial Court,

Respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated June 17, 2005. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS ORDERED:

1. The Report and Recommendation (Doc. No. 5) is **ADOPTED**;
 2. Petitioner's application to proceed in forma pauperis (Doc. No. 2) is **DENIED**;
- and
3. This action is summarily **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 12, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge